

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

WALTER BURNLEY,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

ORDER

06-cr-141-bbc

On October 14, 2015, petitioner Walter Burnley filed an application with the Court of Appeals for the Seventh Circuit for an order authorizing the district court to consider a second or successive petition for collateral review under 28 U.S.C. § 2255. Petitioner contends that his sentence is unconstitutional in light of the United States Supreme Court's recent holding in United States v. Johnson, 135 S. Ct. 2551 (2015).

On October 29, 2015, the court of appeals issued an order granting petitioner's application and authorizing this court to consider petitioner's claim. Therefore, I will order that the federal defender appoint counsel to represent petitioner on his § 2255 motion. Because so many motions like petitioner's have been filed, it may be some time before counsel has an opportunity to consult with petitioner about his motion.

ORDER

IT IS ORDERED that the federal defender is to appoint counsel to represent petitioner on his motion.

Entered this 3d day of November, 2015.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge